

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

54

SEAN MICHAEL RYAN,
PLAINTIFF,

CASE NO. 2:19 -CV- 12286
HON. VICTORIA A. ROBERTS

v.

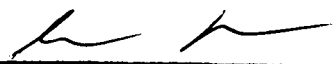
Michigan Dept. Of Corr. et.al,
DEFENDANTS.

MOTION TO SUPPLEMENT THE AMENDED COMPLAINT UNDER R.R.C.P. 15 (d)

Plaintiff hereby moves to supplement his amended complaint under F.R.C.P. 15(d) To provide:(1) An additional claim of violation of clearly established first amendment law as established in the UNITED STATES SUPREME COURT CASE BOUNDS V SMITH 97 SCT 1491. To include an additional claim for relief,(2) Plaintiff will also provide further proof of exhaustion of the issues in this case,(3) and lastly Plaintiff will Provide Proof that the Defendants actions in denying Plaintiff sufficient paper to draft the initial Complaint and court ordered amended complaint prejudiced Plaintiff as required because the Plaintiffs 1983 medical claim (Case # 2:20 - cv - 1502 was actually dismissed.

Date 2/25/22

Respectfully,


SEAN RYAN #787263
JCF
3500 N. ELM
JACKSON, MI. 49201

POOR QUALITY ORIGINALS

ISSUE ONE

PLAINTIFFS ADDITIONAL CLAIM OF VIOLATION OF BOUNDS V SMITH

97 SCT 1491

Plaintiff has been charged (as a debit on his account) for almost every piece of paper, pen, envelope, notary service and all postage to the courts since coming into MDOC custody, Plaintiff now has almost \$13,000.00 in such charged debt on his inmate account.

In the UNITED STATES SUPREME COURT CASE BOUNDS V SMITH 97 SCT 1491 The Court Held That "As a component of the State's obligation to ensure meaningful access to the Courts, "indigent inmates MUST BE PROVIDED AT STATE EXPENSE with paper and pen to draft legal documents with notarial services to authenticate them, and with stamps to mail them." The Defendants And unknown others have instead of Providing the Supplies "at state expense" have engaged in a Policy, practice, custom and or procedure of charging an inmate for these items thus burying the already indigent inmate under a mountain of Debt. This is done as a means and or tool to attempt Dissuade inmates including the Plaintiff from litigating valid constitutional claims. charging the cost of such items to the inmate including the plaintiff by having a "prisoner benefit fund" pay for the cost then requiring that the inmate reimburse the expense by placing a debt on the inmates account is not providing the supplies "at state expense" as the plain language of the United States Supreme Court stated. "at state expense" is exactly that the State is required to pay for the items postage and notary services.

Plaintiff has fully exhausted this issue (see exhibit A-1 & 2) Plaintiffs exhausted step 3 grievance identifier number JCF/21/03/42627b.

RELIEF REQUESTED

Plaintiff hereby requests the following relief:

- 1) all of the debts to plaintiffs inmate account for the paper, pens, and legal envelopes as well as the notary services and legal postage be removed from plaintiffs account and that Plaintiff not be charged for such items in the future. as long as he is considered indigent.
- 2) Punative damages for emotional and mental stress from being forced into pauper status due to the unconstitutional charges On Plaintiffs inmate account. In the Amount of \$10.00 per day from 12/29/10 to date.
- 3) Any other relief the court see fit to grant.

SECOND ISSUE

PLAINTIFFS FURTHER PROOF OF EXHAUSTION

As Part of his response to The Defendants claim of failure to exhaust Plaintiff Provides the following proofs:

- 1) B - 1 & 2 showing that Plaintiffs retaliation claims are fully exhausted.
- 2) Exhibits C-1 through C -24 proving complete exhaustion of the denial of supplies issue as well as nameing of the defendants

ISSUE THREE

UNDENIABLE PROOF THAT THE DEFENDANTS ACTIONS IN DENYING THE PLAINTIFF
THE PAPER HE REQUESTED CAUSED HIS 1983 CLAIM TO BE DISMISSED
THUS DEMONSTRATING THE PREJUDICE NEEDED TO PROVE PLAINTIFF'S DENIAL OF
ACCESS TO THE COURT'S CLAIM.

Plaintiffs main claim in this instant case is that the Defendants repeatedly interfered with His access to the Court's right Granted to him by the First amendment by refusing to provide the paper and other legal supplies Plaintiff needed to Properly draft and file the 1983 denial of medical care claim (case Number 2:20 -cv- 1502), That Plaintiff was Pursuing. this Claim included as a part of it a claim Of conspiracy which requires that Plaintiff provide a list of factual actions each individual defendant had taken as a part of the conspiracy. There are 429 Defendants in that case thus Plaintiff would have needed approximately 4 pages for each of these defendants Just to comply with the requirements of a conspiracy claim. $4 \times 429 = 1,716$. That is to say that Plaintiff would have Needed 1,716 pages or paper just to meet the pleading requirements or a Conspiracy claim which are outlined in the case HOOKS V HOOKS 771 F.2D 935,943-44(6th cir. 1985). WHICH HELD "Moreover to state a conspiracy claim under §1983, a Plaintiff must show: (1) a single plan, (2) that the alleged co- conspirator shared in the general conspiratorial objective, and (3) that an overt act was committed in furtherance of the conspiracy that deprived the Plaintiff of his or her civil rights." Further a Plaintiff must Plead the conspiracy with some specificity" MOLDOWAN V CITY OF WARREN 578 F.3d 351, 395(6th cir 2009)

This requires that the Plaintiff make a short statement of each overt act one of the 429 defendants in the Above mentioned 1983 claim that Plaintiff was attempting to bring which as plaintiff stated above would have required at least

1,700 pages without those supplies Plaintiff was unable to (1) show the overt acts of each defendant in engaging in the conspiracy, (2) and this also prevented Plaintiff from showing the the Plan as to a particular defendant or all the defendants.

▲ fact the Court in case #2:20 -cv- 1502 specifically stated at page id 1275 of ECF No 23 (see attachment D 1-8) Had Plaintiff been provided the Paper that he was requesting he would have been able to Meet all of the Progs and requirements that the Judge in Case #2:20 -cv- 1502. To make matters worse The Judge IN case #2:20 -cv- 1502 ordered Plaintiff to file an amended complaint (to correct the errors in Plaintiffs initial complaint) within 60 days of the order shown in exhibit E 1- 5. and when the Plaintiff showed the order to the Defendants they said they did not care and would not provide more then 10 pages of paper a week. in 60 days that would be only 600 pages and it was not enough to meet the requirements of showing the overt actions and facts as required by law.

Finally while Plaintiff struggled to complete the amended complaint the deadline expired and the Curt issued an order to show cause and denying the out standing motions (See exhibit F - 1-2. in response Plaintiff tiled the partially complete amended complaint. and as a result the Court dismissed the Complaint in case # 2:20 -cv- 1502. see exhibit D 1-7. Plaintiff could not even get copies of the amended complaint for service on the defendants see Exhibit E page 1 note 1.

For the reasons and evidence Plaintiff has provided Plaintiff belives this shows an intentional interference with Plaintiffs valid 8th amendment and Mich. constutional art 1§16 claims for conspiratorial depravation of required medical care and infliction of pain and suffering.

The defendants were at all time aware of what the Medical case was about and took steps to intentionally cause Plaintiffs claims to fail.

Had the Defendants supplied the required Paper Plaintiff would have meet the

requirements of rule 8 and the conspiracy requirements. but was prevented maliciously by the defendants.

and these newly aquired exhibits prove that Plaintiffs 1st amendment right to caccess the courts was violated by the defendants.

CLOSING

In closing Plaintiff prays the Court allows this supplement.

Date 2/25/22

Respectfully,



SEAN RYAN #787263

JCF

3500 N. ELM


JACKSON, MI. 49201

PROOF OF SERVICE

The Undersigned hereby swears under penalty of perjury that on 2/21/22, he placed into the mail VIA the Prison's expedited legal mail system, with First class postage, The included: Motion to supplement the amended complaint to be mailed to the Court and with copies to The Defendants Attorney of record: JOSEPH Y. H (P77390) at P.O.BOX 30217, Lansing, MT. 48909

Respectfully submitted,

Date 2/21/22


SEAN MICHAEL RYAN #787263
IN PRO PER
JCF
3500 N. ELM ST.
Jackson, MT. 49201

sent to step 3 via id mail on 3/22/21

MICHIGAN DEPARTMENT OF CORRECTIONS
PRISONER/PAROLEE GRIEVANCE APPEAL FORM4835-4248 5/09
CSJ-247BDate Received by Grievance Coordinator
at Step II: 3/17/21Grievance Identifier: JCF 2103 426276**INSTRUCTIONS:** THIS FORM IS ONLY TO BE USED TO APPEAL A STEP I GRIEVANCE.The white copy of the Prisoner/Parolee Grievance Form CSJ-247A (or the goldenrod copy if MOOC have not been provided with a Step I response in a timely manner) **MUST** be attached to the white copy of this form if you appeal it at both Step II and Step III.If you should decide to appeal the Step I grievance response to Step II, your appeal should be directed to: GC by 3/24/21. If it is not submitted by this date, it will be considered terminated.

If you should decide to appeal the response you receive at Step II, you should send your Step III Appeal to the Director's Office, P.O. Box 30003, Lansing, Michigan, 48909.

Name (Print first, last)	Number	Institution	Lock Number	Date of Incident	Today's Date
Sean Ryan	787263	JCF	F-7	2/29/21	3/16/21

STEP II — Reason for Appeal

I WAS GRIEVING HOW THE POLICIES WERE BEING APPLIED TO ME. I SPECIFICALLY STATED "THAT THE POLICY OF CHARGING FOR THESE ITEMS AS APPLIED TO ME IS UNCONSTITUTIONAL. THAT I FULLY COMPLIED WITH PD. 03.02.130 AND THIS RETENTION IS FALSE AND AN ATTEMPT BY G.C. HENRY TO COVER UP HIS UNCONSTITUTIONAL ACTIONS"

STEP II — ResponseDate Received by
Step II Respondent:3/18/2021See AttachedNDAAH MAGY
Respondent's Name (Print)[Signature]
Respondent's Signature03/18/2021
DateDate Returned to
Grievant:3/19/21**STEP III — Reason for Appeal** This grievance grieves the policy as it applies to

me. the conduct is adding more than 13,000\$ of illegal charges to my account. there is no way. that this is not how it is being specifically applied to me thus this grievance is in compliance with pd 03.02.130

NOTE: Only a copy of this appeal and the response will be returned to you.**STEP III — Director's Response** is attached as a separate sheet.

DISTRIBUTION: White - Process to Step III; Green, Canary, Pink - Process to Step II; Goldenrod - Grievant



A-2 F07

GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF CORRECTIONS
LANSING

HEIDI E. WASHINGTON
DIRECTOR

STEP III GRIEVANCE DECISION

Rec #: 1254-85

27B

To Prisoner: Ryan #: 787263
Current Facility: JCF
Grievance Identifier: JCF-21-03-0426-27B
Step III Received: 3/25/2021

Your Step III appeal has been reviewed and considered by the Grievance Section of the Office of Legal Affairs in accordance with PD 03.02.130, "Prisoner/Parolee Grievances".

THE REJECTION IS UPHOLD.

THIS DECISION CANNOT BE APPEALED WITHIN THE DEPARTMENT. JUN 23 2021

A handwritten signature in black ink, appearing to read "R. Russell".

Richard D. Russell, Manager Grievance
Section, Office of Legal Affairs

CC: Warden, Current Facility: JCF
Warden, Grievance Facility:

MICHIGAN DEPARTMENT OF CORRECTIONS
PRISONER/PAROLEE GRIEVANCE APPEAL FORM

4835-4248 5/09
 CSJ-247B

Date Received by Grievance Coordinator
 at Step II: 3/11/21

Grievance Identifier: UCF 2103 42828C

INSTRUCTIONS: THIS FORM IS ONLY TO BE USED TO APPEAL A STEP I GRIEVANCE.

The white copy of the Prisoner/Parolee Grievance Form CSJ-247A (or the goldenrod copy if you have not been provided with a Step I response in a timely manner) **MUST** be attached to the white copy of this form if you appeal it at both Step II and Step III.

If you should decide to appeal the Step I grievance response to Step II, your appeal should be directed to: GC by 322b. If it is not submitted by this date, it will be considered terminated.

If you should decide to appeal the response you receive at Step II, you should send your Step III Appeal to the Director's Office, P.O. Box 30003, Lansing, Michigan, 48909.

Name (Print first, last)	Number	Institution	Lock Number	Date of Incident	Today's Date
Sean Ryan	787263	JCP	F-7	3/11/21	3/20/21

STEP II — Reason for Appeal

NOT MULTIPLE ISSUES THE ISSUE IS
I am being retaliated against all other info.
was provided in support of the claim
in compliance with P.O. 03.02.130.

RECEIVED MAR 11 2021

STEP II — Response

Date Received by
 Step II Respondent:

3/15/2021

See Attached

NOAH NABY
 Respondent's Name (Print)

[Signature]
 Respondent's Signature

03/19/2021
 Date

Date Returned to
 Grievant:

3/19/21

STEP III — Reason for Appeal again this is not multiple issues it is one and only

one I provided the other information to show the actions being taken
in retaliation. if i am being beaten, starved, and tortured for suing
an officer it is all one thing retaliation. as is this instant grievance.
all of the actions taken are with one GOAL in mind and that's
to retaliate against me for litigating my issues, thus this is one issue

NOTE: Only a copy of this appeal and the response will be returned to you.

STEP III — Director's Response is attached as a separate sheet.

DISTRIBUTION: White — Process to Step III; Green, Canary, Pink — Process to Step II; Goldenrod — Grievant



B-2

F07

GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF CORRECTION
LANSING

HEIDI E. WASHINGTON
DIRECTOR

STEP III GRIEVANCE DECISION

Rec #: 125496
28C

To Prisoner: Ryan #: 787263
Current Facility: JCF
Grievance Identifier: JCF-21-03-0428-28C
Step III Received: 3/25/2021

Your Step III appeal has been reviewed and considered by the Grievance Section of the Office of Legal Affairs in accordance with PD 03.02.130, "Prisoner/Parolee Grievances".

THE REJECTION IS UPHELD.

THIS DECISION CANNOT BE APPEALED WITHIN THE DEPARTMENT. JUN 23 2021

Richard D. Russell, Manager Grievance
Section, Office of Legal Affairs

CC: Warden, Current Facility: JCF
Warden, Grievance Facility:

Sent via mail on 3/29/21 C-1

4835-4248 5/09
CSJ-247B

MICHIGAN DEPARTMENT OF CORRECTIONS

PRISONER/PAROLEE GRIEVANCE APPEAL FORM

Date Received by Grievance Coordinator
at Step II: 3/19/21

Grievance Identifier: JCF 2103 47728C

INSTRUCTIONS: THIS FORM IS ONLY TO BE USED TO APPEAL A STEP I GRIEVANCE.

The white copy of the Prisoner/Parolee Grievance Form CSJ-247A (or the goldenrod copy if you have not been provided with a Step I response in a timely manner) **MUST** be attached to the white copy of this form if you appeal it at both Step II and Step III.

APR 01 2021

If you should decide to appeal the Step I grievance response to Step II, your appeal should be directed to: 6C by 3/29/21. If it is not submitted by this date, it will be considered terminated.

If you should decide to appeal the response you receive at Step II, you should send your Step III Appeal to the Director's Office, P.O. Box 30003, Lansing, Michigan, 48909.

Name (Print first, last)	Number	Institution	Lock Number	Date of Incident	Today's Date
Sean Ryan	787263	JCF	F - 7	3/9/21	3/11/21

STEP II - Reason for Appeal This was a false rejection I am grieving the fact that Elum is intentionally ignoring a court order by refusing to provide me what I need to comply any reasonable person would see that would see as I stated that Elum is intentionally trying to get my litigation dismissed, which is the basis of this grievance. to reject this grievance as being multiple issues because I mentioned two of the this elum is doing to violate my first amendment right to access the courts and in retaliation for my suing her is completely ridiculous. the issue in this grievance is elum's conduct, not supplies or photocopies. but apparently once again the real issue is going to be covered up to protect elum from the consequences of her unconstitutional conduct.

RECEIVED MAR 18 2021

STEP II — ResponseDate Received by
Step II Respondent:

3/22/2021

See Attached

NDAH NAGY

Respondent's Name (Print)

[Signature]

Respondent's Signature

03/22/2021

Date

Date Returned to
Grievant:

3-23-21

STEP III — Reason for Appeal

Again The issue is ELUM Refusing To provide me The Supplies necessary To comply with The court order. NOT COPIES and Supplies. I am grieving The result of her actions.

NOTE: Only a copy of this appeal and the response will be returned to you.

STEP III — Director's Response is attached as a separate sheet.

DISTRIBUTION: White - Process to Step III; Green, Canary, Pink - Process to Step II; Goldenrod - Grievant



C-2

F07

GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF CORRECTION
LANSING

HEIDI E. WASHINGTON
DIRECTOR

STEP III GRIEVANCE DECISION

Rec #: 125729
28C


To Prisoner: Ryan #: 787263
Current Facility: JCF
Grievance Identifier: JCF-21-03-0477-28C
Step III Received: 4/1/2021

Your Step III appeal has been reviewed and considered by the Grievance Section of the Office of Legal Affairs in accordance with PD 03.02.130, "Prisoner/Parolee Grievances".

THE REJECTION IS UPHELD.

THIS DECISION CANNOT BE APPEALED WITHIN THE DEPARTMENT.

JUN 25 2021


Richard D. Russell, Manager Grievance
Section, Office of Legal Affairs

CC: Warden, Current Facility: JCF
Warden, Grievated Facility:



C6

F07

GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF CORRECTIONS
LANSING

HEIDI E. WASHINGTON
DIRECTOR

STEP III GRIEVANCE DECISION

Rec #: 119068

281

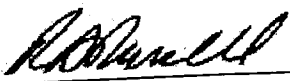
To Prisoner: Ryan #: 787263
Current Facility: JCF
Grievance Identifier: JCF-20-07-1463-28I
Step III Received: 8/25/2020

Your Step III appeal has been reviewed and considered by the Grievance Section of the Office of Legal Affairs in accordance with PD 03.02.130, "Prisoner/Parolee Grievances".

THE REJECTION IS UPHELD.

THIS DECISION CANNOT BE APPEALED WITHIN THE DEPARTMENT.

OCT 20 2020


Richard D. Russell, Manager Grievance
Section, Office of Legal Affairs

CC: Warden, Current Facility: JCF
Warden, Grievated Facility:

4835-4248 5/09
CSJ-247BMICHIGAN DEPARTMENT OF CORRECTIONS
PRISONER/ PAROLEE GRIEVANCE APPEAL FORMGrievance Identifier: WCF20071146328Date Received by Grievance Coordinator
Step II: 8/13/20

INSTRUCTIONS: THIS FORM IS ONLY TO BE USED TO APPEAL A STEP I GRIEVANCE. The white copy of the Prisoner/Parolee Grievance Form CSJ-247A (or the goldenrod copy if you have not been provided with a Step I response in a timely manner) **MUST** be attached to the white copy of this form if you appeal it at both Step I and Step III.

If you should decide to appeal the Step I grievance response to Step II, your appeal should be directed to: GC by 8/12/20. If it is not submitted by this date, it will be considered terminated.

If you should decide to appeal the response you receive at Step II, you should send your Step III Appeal to the Director's Office, P.O. Box 30003, Lansing, Michigan, 48909.

Name (Print first, last)	Number	Institution	Lock Number	Date of Incident	Today's Date
Sean Ryan	787263	JCF	F - 7	7/21/20	8/11/20

STEP II — Reason for Appeal

I did attempt to resolve with staff involved. Librarian kaylat was the one who brought me ~~the cases~~ the cases one who told me that I would not be getting the paper and carbon paper. she is the one who should have brought the supplies. you are expecting me to jump through made up hoops by saying i failed to resolve with the staff involved. all the librarians are involved. expicliely the one who was suposed to bring the supplies. this is a false rejection designed to cover up the fact that i am being intentionally denied the paper and supplies i need to file a valid lawsuit. a lwa suit that they know will win. because my medical recordss show a clear course of abuse for more then 10 years.

STEP II — ResponseRECEIVED AUG 12 2020
Date Received by
Step II Respondent:*See Attached*NOAH NAGY
Respondent's Name (Print)*McPry*
Respondent's Signature08/14/2020
DateDate Returned to
Grievant:8/17/2020**STEP III — Reason for Appeal**

Librarian kaylat who brought me the meger ammount of supplies was the person to resolve this with. and i spoke to her further the wardons step 2 response was incorrect this was no a non grievable issue. and this demonstrates that the named persons as well as warden nagy. and deputy kisor and librarain elum are intetnionally trying to prevent me from filing this lawsuit

NOTE: Only a copy of this appeal and the response will be returned to you.

STEP III — Director's Response is attached as a separate sheet.

DISTRIBUTION: White - Process to Step III; Green, Canary, Pink - Process to Step II; Goldenrod - Grievant

Placed in IO mail 6/19/21

4835-4248 5/09
CSJ-247BMICHIGAN DEPARTMENT OF CORRECTIONS
PRISONER/PAROLEE GRIEVANCE APPEAL FORM

C-7

Date Received by Grievance Coordinator MAY 10 2021 Grievance Identifier: JCF210410619114D
at Step II: 5-10-21**INSTRUCTIONS:** THIS FORM IS ONLY TO BE USED TO APPEAL A STEP I GRIEVANCE.The white copy of the Prisoner/Parolee Grievance Form CSJ-247A (or the goldenrod copy if you have not been provided with a Step I response in a timely manner) **MUST** be attached to the white copy of this form if you appeal it at both Step II and Step III.If you should decide to appeal the Step I grievance response to Step II, your appeal should be directed to _____
GC by 5-11-21. If it is not submitted by Office of Legal Affairs, it is considered terminated.

If you should decide to appeal the response you receive at Step II, you should send your Step III Appeal to the Director's Office, P.O. Box 30003, Lansing, Michigan, 48909.

Name (Print first, last)	Number	Institution	Lock Number	Date of Incident	Today's Date
SEAN RYAN	787263	jcf	E 7	4/1/21	5/7/21

STEP II — Reason for Appeal There are not three issues only one interference with my accessto the courts by not supplying me with the necessary supplies the staff are
thwarting my efforts to file the amended complaint only providing me withsome paper is not sufficient paper to comply with the court order and my case
has 262 defendants in it thus my request is reasonable. The staffs decision
can not be based on past cases filed by others. The conditions in this case
are unique and the lack of supplies did in fact cause me to miss the court
ordered deadline putting my case in jeopardy of dismissal.**STEP II — Response**

See Attached

Date Received by
Step II Respondent:

5/11/2021

STEP 1 / 2 GRIEVANCE
RECEIVED IN GRIEVANCE

JUN 14 2021

NOAH MAGI
Respondent's Name (Print)

Respondent's Signature

Date

06/14/2021

OFFICE ON
Date Returned to
Grievant:

6-14-21

STEP III — Reason for AppealBecause of not getting the supplies I
needed. I just completed one copy when I need 3
of the amended complaint on 6/18/21 almost 2 months
after the court ordered deadline. Thus the above named
persons caused me to miss a deadline they know**NOTE:** Only a copy of this appeal and the response will be returned to you. I had.**STEP III — Director's Response** is attached as a separate sheet.

DISTRIBUTION: White - Process to Step III; Green, Canary, Pink - Process to Step II; Goldenrod - Grievant



F-07

C8

GRETCHEN WHITMER
GOVERNOR

**STATE OF MICHIGAN
DEPARTMENT OF CORRECTIONS
LANSING**

HEIDI E. WASHINGTON
DIRECTOR

STEP III GRIEVANCE DECISION

Rec #: 128074

14D

To Prisoner: Ryan #: 787263
Current Facility: JCF
Grievance Identifier: JCF-21-04-0619-14D
Step III Received: 6/24/2021

Your Step III appeal has been reviewed and considered by the Grievance Section of the Office of Legal Affairs in accordance with PD 03.02.130, "Prisoner/Parolee Grievances". Upon examination it has been determined that your issue was in fact considered, investigated, and a proper decision was rendered.

THE STEP III APPEAL IS DENIED.

THIS DECISION CANNOT BE APPEALED WITHIN THE DEPARTMENT.

A handwritten signature in black ink, appearing to read "Richard D. Russell".

Richard D. Russell, Manager Grievance
Section, Office of Legal Affairs

Date Mailed:

SEP 20 2021

cc: Warden, Filing Facility: JCF

Sent to step 3 via ID mail on 6/7/21

4835-4248 5/09
CSJ-247BMICHIGAN DEPARTMENT OF CORRECTIONS
PRISONER/PAROLEE GRIEVANCE APPEAL FORMDate Received by Grievance Coordinator at Step II: 4-30-21Grievance Identifier: SCF21104 0623 1140**INSTRUCTIONS:** THIS FORM IS ONLY TO BE USED TO APPEAL A STEP I GRIEVANCE.The white copy of the Prisoner/Parolee Grievance Form CSJ-247A (or the goldenrod copy if you have not been provided with a Step I response in a timely manner) **MUST** be attached to the white copy of this form if you appeal it at both Step II and Step III.If you should decide to appeal the Step I grievance response to Step II, your appeal should be directed to: GC by 5-7-21. If it is not submitted by this date, it will be considered terminated.

If you should decide to appeal the response you receive at Step II, you should send your Step III Appeal to the Director's Office, P.O. Box 30003, Lansing, Michigan, 48909.

Name (Print first, last)	Number	Institution	Lock Number	Date of Incident	Today's Date
sean ryan	787263	jcf	£ 7	4/1/21	4/28/21

STEP II — Reason for Appeal My request was a reasonable amount considering the fact that there are more than 362 defendants and I have to make 3 complete copies of the amended complaint 1 for me and 2 for the courts. this is a clear attempt to interfere with my legitimate constitutional litigation and to force me to limit the number of defendants in my complaint thereby protecting those defendants from litigation for violating my constitutional right to adequate medical care. further by refusing to provide me the supplies I reasonably requested the named persons have caused me miss my court ordered deadline of 4/11/21 for filing the court ordered amended complaint thus putting my litigation in jeopardy of dismissal. for failing to file the amended complaint in time.

STEP II — Response

See Attached

Date Received by
Step II Respondent:5/1/2021
STEP 1/2 GRIEVANCE
RECEIVED IN GRIEVANCE

JUN 01 2021

Respondent's Name (Print)

Respondent's Signature

Date

OFFICE ON:
Date Returned to
Grievant:

6-1-21

STEP III — Reason for Appeal

Look at the amount of time the court gave me to file the amended complaint 6 sheets of carbon paper a week is not enough in fact it is almost 2 months after the court ordered documents and I still am not finished making the three copies needed to comply with the order. When I told ELUM that I had 362 defendants she told me to reduce the amount of people I am suing, so that I would then have enough supplies thus my step I and II still are valid.

NOTE: Only a copy of this appeal and the response will be returned to you.**STEP III — Director's Response** is attached as a separate sheet.

DISTRIBUTION: White - Process to Step III; Green, Canary, Pink - Process to Step II; Goldenrod - Grievant

F-07



C-10

GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF CORRECTIONS
LANSING

HEIDI E. WASHINGTON
DIRECTOR

STEP III GRIEVANCE DECISION

Rec #: 127889

14D

To Prisoner: Ryan # 787263

Current Facility: JCF

Grievance Identifier: JCF-21-04-0623-14D

Step III Received: 6/14/2021

Your Step III appeal has been reviewed and considered by the Grievance Section of the Office of Legal Affairs in accordance with PD 03.02.130, "Prisoner/Parolee Grievances". Upon examination it has been determined that your issue was in fact considered, investigated, and a proper decision was rendered.

THE STEP III APPEAL IS DENIED.

THIS DECISION CANNOT BE APPEALED WITHIN THE DEPARTMENT.

Richard D. Russell, Manager Grievance
Section, Office of Legal Affairs

Date Mailed:

SEP 08 2021

cc: Warden, Filing Facility: JCF

sent to step 3 via id mail requested. Two Times And C-11

6/3/21

4835-4248 5/09
CSJ-247B

MICHIGAN DEPARTMENT OF CORRECTIONS

PRISONER/PAROLEE GRIEVANCE APPEAL FORM

RECEIVED IN GRIEVANCE

4/28/21 C-11

Date Received by Grievance Coordinator at Step II: 4-30-21

APR 30 2021

Grievance Identifier:

SCF2110410659114D

INSTRUCTIONS: THIS FORM IS ONLY TO BE USED TO APPEAL A STEP I GRIEVANCE.The white copy of the Prisoner/Parolee Grievance Form CSJ-247A (or the goldenrod copy if you have not been provided with a Step I response in a timely manner) **MUST** be attached to the white copy of this form if you appeal it at both Step II and Step III.

If you should decide to appeal the Step I grievance response to Step II, your appeal should be directed to: GC by 4-27-21. If it is not submitted by this date, it will be considered terminated.

If you should decide to appeal the response you receive at Step II, you should send your Step III Appeal to the Director's Office, P.O. Box 30003, Lansing, Michigan, 48909.

Name (Print first, last)	Number	Institution	Lock Number	Date of Incident	Today's Date
SEAN RYAN	787263	JCE	E 7	4/6/21	4/28/21

STEP II — Reason for Appeal the amount was not unreasonable and elum could not state that it was. 200 sheets of paper and 56 sheets of carbon paper were un reasonable considering the fact that I have over 362 defendants in the lawsuit further 6 sheets of carbon paper only make 48 copies if iam lucky so she did not provide me with enough to make 3 copies of the part of the document that she provided 200 sheets of paper for and only allowing me 200 sheets of paper and 6 sheets of paper once a week would take almost 2 years to complete the amended complaint that i had 2 months to

STEP II — Response

See Attached

Date Received by
Step II Respondent:5/11/2021
STEP 1 / 2 GRIEVANCE
RECEIVED IN GRIEVANCE

JUN 01 2021

NDAAH NAGY
Respondent's Name (Print)

Respondent's Signature

Date

06/01/2021

OFFICE ON
Date Returned to
Grievant:

6-1-21

STEP III — Reason for Appeal

if the library staff are not giving me the supplies i need then they are intentionally interfering with my litigation and violating my 1st amendment rights

NOTE: Only a copy of this appeal and the response will be returned to you.**STEP III — Director's Response** is attached as a separate sheet.

DISTRIBUTION: White - Process to Step III; Green, Canary, Pink - Process to Step II; Goldenrod - Grievant



F-20
07 C-12

GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF CORRECTIONS
LANSING

HEIDI E. WASHINGTON
DIRECTOR

STEP III GRIEVANCE DECISION

Rec #: 127890
14D

To Prisoner: ~~_____~~ Ryan # 787263
Current Facility: ~~_____~~ JCF


Grievance Identifier: JCF-21-04-0659-14D

Step III Received: 6/14/2021

Your Step III appeal has been reviewed and considered by the Grievance Section of the Office of Legal Affairs in accordance with PD 03.02.130, "Prisoner/Parolee Grievances". Upon examination it has been determined that your issue was in fact considered, investigated, and a proper decision was rendered.

THE STEP III APPEAL IS DENIED.

THIS DECISION CANNOT BE APPEALED WITHIN THE DEPARTMENT.


Richard D. Russell, Manager Grievance
Section, Office of Legal Affairs

Date Mailed: SEP 08 2021

cc: Warden, Filing Facility: JCF

sent to step 3 6/7/21
via 1D mail

PRISONER/PAROLEE GRIEVANCE APPEAL FORM

Requested Three and

Did Not Receive Form V-727
4/28/21

435-4248 5/09
CSJ-247B

Date Received by Grievance Coordinator APR 30 2021
at Step II: 4-30-21

Grievance Identifier: SCF 21 04 06 6 0 1 4 E

C-13

INSTRUCTIONS: THIS FORM IS ONLY TO BE USED TO APPEAL A STEP I GRIEVANCE.

The white copy of the Prisoner/Parolee Grievance Form CSJ-247A (or the goldenrod copy if you have not been provided with a Step I response in a timely manner) **MUST** be attached to the white copy of this form if you appeal it at both Step II and Step III.

JUN 14 2021

If you should decide to appeal the Step I grievance response to Step II, your appeal should be directed to: GC by 4-27-21. If it is not submitted by this date, it will be considered terminated.

If you should decide to appeal the response you receive at Step II, you should send your Step III Appeal to the Director's Office, P.O. Box 30003, Lansing, Michigan, 48909.

Name (Print first, last)	Number	Institution	Lock Number	Date of Incident	Today's Date
sean ryan	787263	jcf	f - 7	4/6/11	4/28/21

STEP II — Reason for Appeal

1st off i did not argue the entire time. I did however attempt to resolve the issue of being denied adequate supplies. and i did do legal research because i had to show her she was violating the law i showed her several ca. Thus i was exercising my first amendment right to address a grievance. which is protected first amendment conduct. Thus Flom taking me off or refusing to place me on the the next callout was a first amendment violation as it was done in response to my attempting to address a grievance thus this was retaliation!

STEP II — Response

See Attached

Date Received by Step II Respondent: 5/1/2021
STEP 1 / 2 GRIEVANCE RECEIVED IN GRIEVANCE

JUN 01 2021

NDALT MAGY
Respondent's Name (Print)

[Signature]
Respondent's Signature

06/01/2021
Date

OFFICE ON
Date Returned to Grievant: 6-1-21

STEP III — Reason for Appeal

the grievance policy requires that I attempt to resolve within 3 days of the discovery of the issue so now its ok to punish me for complying with that issue i think not step one and 2 stand

NOTE: Only a copy of this appeal and the response will be returned to you.

STEP III — Director's Response is attached as a separate sheet.

DISTRIBUTION: White - Process to Step III; Green, Canary, Pink - Process to Step II; Goldenrod - Grievant

F-07



C-14

GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF CORRECTIONS
LANSING

HEIDI E. WASHINGTON
DIRECTOR

STEP III GRIEVANCE DECISION

Rec #: 127891
14E

To Prisoner: ~~Ryan~~ # - 787263
Current Facility: ~~JCF~~

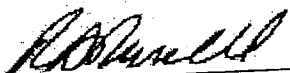
Grievance Identifier: JCF-21-04-0660-14E

Step III Received: 6/14/2021

Your Step III appeal has been reviewed and considered by the Grievance Section of the Office of Legal Affairs in accordance with PD 03.02.130, "Prisoner/Parolee Grievances". Upon examination it has been determined that your issue was in fact considered, investigated, and a proper decision was rendered.

THE STEP III APPEAL IS DENIED.

THIS DECISION CANNOT BE APPEALED WITHIN THE DEPARTMENT.


Richard D. Russell, Manager Grievance
Section, Office of Legal Affairs

Date Mailed: SEP 08 2021

cc: Warden, Filing Facility: JCF

Placed in interdepartmental mail on 4/23/21

MICHIGAN DEPARTMENT OF CORRECTIONS

PRISONER/PAROLEE GRIEVANCE APPEAL FORM

4835-4248 5/09

CSJ-247B

RECEIVED IN GRIEVANCE

Date Received by Grievance Coordinator
at Step II: 4-19-21Grievance Identifier: SCF21104 6211 28A

APR 19 2021

INSTRUCTIONS: THIS FORM IS ONLY TO BE USED TO APPEAL A STEP I GRIEVANCE.The white copy of the Prisoner/Parolee Grievance Form CSJ-247A (or the goldenrod copy if you have not been provided with a Step I response in a timely manner) **MUST** be attached to the white copy of this form if you appeal it at both Step II and Step III.

MAY 03 2021

If you should decide to appeal the Step I grievance response to Step II, your appeal should be directed to:

by GCby 4/23/21

Office of Legal Affairs

If it is not submitted by this date, it will be considered terminated.

If you should decide to appeal the response you receive at Step II, you should send your Step III Appeal to the Director's Office, P.O. Box 30003, Lansing, Michigan, 48909.

Name (Print first, last)	Number	Institution	Lock Number	Date of Incident	Today's Date
sean ryan	787263	jcf	f 7	4/1/21	4/14/21

STEP II — Reason for Appeal the grievance this grievance was claimed a duplicate of was rejected and not processed so there is no way this can be a duplicate. further this is a distinct and septeate issue as it is on the ammount of supplies i need and the fact that i am not being supplied those supplies in a delibrate attempt to thwart my litigation despite the fact that the court rulings state i have to sy everything that is in my complaint

STEP II — ResponseDate Received by
Step II Respondent:4/21/2021

RECEIVED IN GRIEVANCE

APR 22 2021

OFFICE ON

Date Returned to
Grievant:4-22-21

Respondent's Name (Print)

NOAH NABY

Respondent's Signature

[Signature]

Date

04/21/2021**STEP III — Reason for Appeal**

step two stands

NOTE: Only a copy of this appeal and the response will be returned to you.**STEP III — Director's Response is attached as a separate sheet.**

DISTRIBUTION: White - Process to Step III; Green, Canary, Pink - Process to Step II; Goldenrod - Grievant



C-16
F07

GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF CORRECTION
LANSING

HEIDI E. WASHINGTON
DIRECTOR

STEP III GRIEVANCE DECISION

Rec #: 126646
28A

To Prisoner: Ryan #: 787263
Current Facility: JCF
Grievance Identifier: JCF-21-04-0621-28A
Step III Received: 5/3/2021

Your Step III appeal has been reviewed and considered by the Grievance Section of the Office of Legal Affairs in accordance with PD 03.02.130, "Prisoner/Parolee Grievances".

THE REJECTION IS UPHELD.

THIS DECISION CANNOT BE APPEALED WITHIN THE DEPARTMENT.

JUL 26 2021

A handwritten signature in black ink, appearing to read "Richard D. Russell".

Richard D. Russell, Manager Grievance
Section, Office of Legal Affairs

CC: Warden, Current Facility: JCF
Warden, Grievance Facility: JCF

MICHIGAN DEPARTMENT OF
CORRECTIONS

DRFT CSJ-247FD 4/6/2020

STEP III GRIEVANCE RESPONSE FORM
(FINAL MDOC DECISION)

DB Record #: 127689

Prisoner Last Name:	Prisoner #:	Grievance #:
Ryan	787263	JCF-21-03-0583-28c

SECTION ONE:☐ THE STEP II DENIAL IS UPHELD at Step III.☐ The Step II response on the merits was only PARTIALLY RESOLVED, however, this grievance is now considered **RESOLVED** based on the actions described in **SECTION TWO** below.☒ THE STEP II REJECTION IS UPHELD.☐ The Step III appeal is **REJECTED** at Step III pursuant to PD 03.02.130 "Prisoner/Parolee Grievances" for the following reason(s):**SECTION TWO (Describe any further actions taken at Step II to resolve the issue on the merits):**

N/A

Richard D. Russell, Manager, Office of Legal Affairs, MDOC

SIGNATURE: 	DATE MAILED: 08/17/2021
----------------------------------------------------------------------------------------------------------	-----------------------------------

Distribution: Copies to Warden, GC, and prisoner along with the copy of the prisoner's submitted Step III appeal.

PLACED IN INTERDEPARTMENTAL MAIL ON 3/29/21 GT#127689

MICHIGAN DEPARTMENT OF CORRECTIONS

4835-4248 5/09

CSJ-247B

PRISONER/PAROLEE GRIEVANCE APPEAL FORM

C-18

Date Received by Grievance Coordinator
at Step II: 4/12/21

Grievance Identifier:

JCF 2103 S8328C**INSTRUCTIONS:** THIS FORM IS ONLY TO BE USED TO APPEAL A STEP I GRIEVANCE.

The white copy of the Prisoner/Parolee Grievance Form CSJ-247A (or the goldenrod copy if you have not been provided with a Step I response in a timely manner) **MUST** be attached to the white copy of this form if you appeal it at both Step II and Step III.

If you should decide to appeal the Step I grievance response to Step II, your appeal should be directed to: _____

CC4/12/21

If it is not submitted by this date, it will be considered terminated.

If you should decide to appeal the response you receive at Step II, you should send your Step III Appeal to the Director's Office, P.O. Box 30003, Lansing, Michigan, 48909.

Name (Print first, last)	Number	Institution	Lock Number	Date of Incident	Today's Date
SEAN RYAN	187263	JCF	F - 7	3/25/21	3/25/21

STEP II — Reason for Appeal This was not multiple issues. it was one issue and that

is the fact that this was an attempt to get my litigation dismissed by denying me the supplies i needed to draft and file the amended complaint that the court ordered. i had to shew what the named persens were doing to interfere/impede my litigation. so i had to shew tyhat they refused to provide me supplies or in the lack of supplies even photocepies. further it is now 4/9/21 2 days to my court ordered deadling. and i have still not been supplies the supplies i needed or photocepies needed to complete the court ordered amended complaint. which per the court order if i do not file on time will result in dismissal of the complaint. Thus there are still setting up unnecessary hurdles to impede my litigation.

STEP II — Response

STEP 172 GRIEVANCE
RECEIVED IN GRIEVANCE

APR 12 2021

See Attached OFFICE ON

Date Received by
Step II Respondent:

4/13/2021

SEAN RYAN
Respondent's Name (Print)

[Signature]
Respondent's Signature

4/14/2021
Date

Date Returned to
Grievant:

4/15/21**STEP III — Reason for Appeal**

Step two response stands this was not multiple issues it was 1 interfering with my litigation.

NOTE: Only a copy of this appeal and the response will be returned to you.

STEP III — Director's Response is attached as a separate sheet.

DISTRIBUTION: White — Process to Step III; Green, Canary, Pink — Process to Step II; Goldenrod — Grievant

placed in interdepartmental mail on 4/28/21

MICHIGAN DEPARTMENT OF CORRECTIONS
PRISONER/PAROLEE GRIEVANCE APPEAL FORM

4835-4248 5/09
 CSJ-247B

Date Received by Grievance Coordinator at Step II: 4-19-21

Grievance Identifier: 5c f 2 1 0 4 | 6 2 2 | 2 8 1 A

OFFICE ON

INSTRUCTIONS: THIS FORM IS ONLY TO BE USED TO APPEAL A STEP I GRIEVANCE.

The white copy of the Prisoner/Parolee Grievance Form CSJ-247A (or the goldenrod copy if you have not been provided with a Step I response in a timely manner) **MUST** be attached to the white copy of this form if you appeal it at both Step II and Step III.

MAY 03 2021

If you should decide to appeal the Step I grievance response to Step II, your appeal should be directed to: GC by 4/23/21. If it is not submitted by this date, it will be considered terminated.

If you should decide to appeal the response you receive at Step II, you should send your Step III Appeal to the Director's Office, P.O. Box 30003, Lansing, Michigan, 48909.

Name (Print first, last)	Number	Institution	Lock Number	Date of Incident	Today's Date
Sean Ryan	767262	jcf	f - 7	4/1/21	4/14/21

STEP II — Reason for Appeal This issue was not a duplicate this one is on me missing my deadline because of the nefarious actions of the staff involved

STEP II — Response

See Attached

Date Received by
 Step II Respondent:

4/20/2021
 STEP 2 1/2 GRIEVANCE
 RECEIVED IN GRIEVANCE

APR 22 2021

OFFICE ON

Date Returned to
 Grievant:

4-22-21

Respondent's Name (Print)

Respondent's Signature

Date

STEP III — Reason for Appeal

step two stands

NOTE: Only a copy of this appeal and the response will be returned to you.

STEP III — Director's Response is attached as a separate sheet.

DISTRIBUTION: White - Process to Step III; Green, Canary, Pink - Process to Step II; Goldenrod - Grievant



C-20

F07

STATE OF MICHIGAN

GRETCHEN WHITMER
GOVERNOR

DEPARTMENT OF CORRECTIONS
LANSING

HEIDI E. WASHINGTON
DIRECTOR

STEP III GRIEVANCE DECISION

Rec #: 126647

28A

To Prisoner: Ryan #: 787263
Current Facility: JCF
Grievance Identifier: JCF-21-04-0622-28A
Step III Received: 5/3/2021

Your Step III appeal has been reviewed and considered by the Grievance Section of the Office of Legal Affairs in accordance with PD 03.02.130, "Prisoner/Parolee Grievances".

THE REJECTION IS UPHELD.

THIS DECISION CANNOT BE APPEALED WITHIN THE DEPARTMENT.

JUL 26 2021

A handwritten signature in black ink, appearing to read "R. Russell".

Richard D. Russell, Manager Grievance
Section, Office of Legal Affairs

CC: Warden, Current Facility: JCF
Warden, Grievance Facility:

MICHIGAN DEPARTMENT OF CORRECTIONS / GRIEVANCE
PRISONER/PAROLEE GRIEVANCE APPEAL FORM

4835-4248 5/09
CSJ-247B

Date Received by Grievance Coordinator at Step II: 4-19-21

Grievance Identifier: SCF2104 620 28C

OFFICE ON

INSTRUCTIONS: THIS FORM IS ONLY TO BE USED TO APPEAL A STEP I GRIEVANCE.

The white copy of the Prisoner/Parolee Grievance Form CSJ-247A (or the goldenrod copy if you have not been provided with a Step I response in a timely manner) **MUST** be attached to the white copy of this form if you appeal it at both Step II and Step III.

MAY 03 2021

If you should decide to appeal the Step I grievance response to Step II, your appeal should be directed to: GC by 4/23/21. If it is not submitted by this date, it will be considered terminated.

If you should decide to appeal the response you receive at Step II, you should send your Step III Appeal to the Director's Office, P.O. Box 30003, Lansing, Michigan, 48909.

Name (Print first, last)	Number	Institution	Lock Number	Date of Incident	Today's Date
sean ryan	787263	jef	E - 7	4/1/21	4/14/21

STEP II — Reason for Appeal

this is not multiple issues this is on the staff preventing me from complying with the court order to file an amended complaint by 4/11/21 by refusing to provide me the supplies i need to do so.

STEP II — Response

See Attached

Date Received by
Step II Respondent:

RECEIVED IN GRIEVANCE

APR 22 2021

OFFICE ON

Date Returned to
Grievant:

4-22-21

NORTH MAGY
Respondent's Name (Print)

OK JY
Respondent's Signature

04/21/2021
Date

STEP III — Reason for Appeal

not multiple issues false rejection

NOTE: Only a copy of this appeal and the response will be returned to you.

STEP III — Director's Response is attached as a separate sheet.

DISTRIBUTION: White - Process to Step III; Green, Canary, Pink - Process to Step II; Goldenrod - Grievant



C-22

F07

GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF CORRECTIONS
LANSING

HEIDI E. WASHINGTON
DIRECTOR

STEP III GRIEVANCE DECISION

Rec #: 126649

28C

To Prisoner: Ryan #: 787263
Current Facility: JCF
Grievance Identifier: JCF-21-04-0620-28C
Step III Received: 5/3/2021

Your Step III appeal has been reviewed and considered by the Grievance Section of the Office of Legal Affairs in accordance with PD 03.02.130, "Prisoner/Parolee Grievances".

THE REJECTION IS UPHELD.

THIS DECISION CANNOT BE APPEALED WITHIN THE DEPARTMENT.

JUL 26 2021

A handwritten signature in black ink, appearing to read "Richard D. Russell", is written over a horizontal line.

Richard D. Russell, Manager Grievance
Section, Office of Legal Affairs

CC: Warden, Current Facility: JCF
Warden, Grievated Facility:

C-3-4 Sent To STEP III Via ID mail 1/5/21

MICHIGAN DEPARTMENT OF CORRECTIONS

4835-4248 5/09

CSJ-247B

PRISONER/PAROLEE GRIEVANCE APPEAL FORMDate Received by Grievance Coordinator
at Step II: 12-20-21

Grievance Identifier:

SCF 21112 21711 28B**INSTRUCTIONS:** THIS FORM IS ONLY TO BE USED TO APPEAL A STEP I GRIEVANCE.

The white copy of the Prisoner/Parolee Grievance Form CSJ-247A (or the goldenrod copy if you have not been provided with a Step I response in a timely manner) **MUST** be attached to the white copy of this form if you appeal it at both Step II and Step III.

JAN 10 2022

If you should decide to appeal the Step I grievance response to Step II, your appeal should be directed to:

GC by 12-28-21. If it is not submitted by this date, it will be considered terminated.

If you should decide to appeal the response you receive at Step II, you should send your Step III Appeal to the Director's Office, P.O. Box 30003, Lansing, Michigan, 48909.

Name (Print first, last)	Number	Institution	Lock Number	Date of Incident	Today's Date
Sean Ryan	787263	JCF	F 3	12/4/21	12/16/21

STEP II — Reason for Appeal This is a false rejection designed to protect the grievance coordinators fellow employees and is not based in policy or fact. I plainly stated that My 1983 complaint was ordered dismissed by the Court and this was due to the named persons refusing to provide me with sufficient paper to comply with the Court order to file an amended complaint on the 429 Defendants. this is a clear interference with my access to the courts making it and unconstitutional condition of confinement because it violates my first amendment rights. No rule limits the number of people I can sue in a single lawsuit. and in this case because the Court gave me 60 days to file the amended complaint only providing me with 10 sheets of paper a week clearly violated this order and prevented me from doing so.

The Grievance is not vague and to reject it as so violates policy.

STEP II — ResponseDate Received by
Step II Respondent:12/22/2021

SEE ATTACHED

Respondent's Name (Print)

Respondent's Signature

Date

Date Returned to
Grievant:1-3-22**STEP III — Reason for Appeal**

STEP I & II Stand Further IT
was impossible To Clarify Without an interview
which was not performed

NOTE: Only a copy of this appeal and the response will be returned to you.**STEP III — Director's Response** is attached as a separate sheet.

DISTRIBUTION: White - Process to Step III; Green, Canary, Pink - Process to Step II; Goldenrod - Grievant



F-43

GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF CORRECTIONS
LANSING

HEIDI E. WASHINGTON
DIRECTOR

STEP III GRIEVANCE DECISION

Rec #: 132192
28B

To Prisoner: Ryan #: 787263
Current Facility: JCF
Grievance Identifier: JCF-21-12-2171-28B
Step III Received: 1/10/2022

Your Step III appeal has been reviewed and considered by the Grievance Section of the Office of Legal Affairs in accordance with PD 03.02.130, "Prisoner/Parolee Grievances".

THE REJECTION IS UPHELD.

THIS DECISION CANNOT BE APPEALED WITHIN THE DEPARTMENT. FEB 07 2022

A handwritten signature in black ink, appearing to read "Richard D. Russell", is written over a horizontal line.

Richard D. Russell, Manager Grievance
Section, Office of Legal Affairs

CC: Warden, Current Facility: JCF
Warden, Grievated Facility:



F-07

C8

GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF CORRECTIONS
LANSING

HEIDI E. WASHINGTON
DIRECTOR

STEP III GRIEVANCE DECISION

Rec #: 128074

14D

To Prisoner: Ryan #: 787263

Current Facility: JCF

Grievance Identifier: JCF-21-04-0619-14D

Step III Received: 6/24/2021

Your Step III appeal has been reviewed and considered by the Grievance Section of the Office of Legal Affairs in accordance with PD 03.02.130, "Prisoner/Parolee Grievances". Upon examination it has been determined that your issue was in fact considered, investigated, and a proper decision was rendered.

THE STEP III APPEAL IS DENIED.

THIS DECISION CANNOT BE APPEALED WITHIN THE DEPARTMENT.

A handwritten signature in black ink, appearing to read "Richard D. Russell".

Richard D. Russell, Manager Grievance
Section, Office of Legal Affairs

Date Mailed:

SEP 20 2021

cc: Warden, Filing Facility: JCF

to Grievance coordinator
from Sean Ryan 787263 F - 7 9/11/20

Request for a second request for a step one grievance on this issue first one was made

On 9/3/20 I was forced to file a partial incomplete initial §1983 complaint with the united states district court. because librarian alum, deputy klator and warden negy are refusing to provide me with enough supplies to complete it. violating policy pd 05.03.118 (H) as well as my first amendment rights which require that the prison provide indigent inmates such as myself with sufficient supplies to draft and file court documents. now I had to file an incomplete partial complaint because the above named persons refused to provide me with sufficient supplies to file this complaint in time to comply with the statute of limitations on this claim putting my lawsuit in jeopardy of being dismissed.

On 9/3/20. this is my second request for a step one grievance on this issue first one was made

attempt to resolve spoke to librarian alum 9/3/20

on 9/3/20 I was forced to file a partial incomplete initial §1983 complaint

with the united states district court. because librarian alum, deputy klator and warden

negy are refusing to provide me with enough supplies to complete it. violating policy

pd 05.03.118 (H) as well as my first amendment rights which require that the

prison provide indigent inmates such as myself with sufficient supplies to draft and file

court documents. now I had to file an incomplete partial complaint because the above named

persons refused to provide me with sufficient supplies to file this complaint in time

to comply with the statute of limitations on this claim putting my lawsuit in jeopardy

After 9/3/20

C-23

to grievance coordinator
from Sean Ryan 787263 f - 7 9/11/20
spoke to librarian ELM on 9/10/20

*Just don't let them
have the children
have done this
on 9/10/20
Don't put
it back
of the
children*

C-24

I spoke to librarian elum on 9/10/20 concerning the insufficient legal supplies
I was being provided and librarian elum told me that she was not going to provide
provide me with anymore because I was just filling lies anyway. this is a deliberate
interference with my right to access the court as well as a violation of the policy
requiring her to provide me with sufficient supplies to file the initial complaint.
I was already forced to file an incomplete complaint with the court and now need to
file a supplement to finish out the claims against 366 people. there are 1644 facts
in my initial complaint. and 5 claim of constitutional violations that stem from each
claim. meaning I need enough supplies to supplement the initial complaint with
8,220 additional claims of violation of my constitutional rights. librarian elum
was not to determine what I put in my lawsuit or

*all copy
to
9/11/20*

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

D-1

SEAN MICHAEL RYAN, #787263,

Plaintiff,

CASE NO. 2:20-CV-12502
HONORABLE SEAN F. COX

v.

MICHIGAN, et al.,

Defendants.

OPINION AND ORDER DISMISSING AMENDED CIVIL RIGHTS COMPLAINT

I. Introduction

This is a pro se civil rights action brought pursuant to 42 U.S.C. § 1983. Michigan prisoner Sean Michael Ryan ("Plaintiff") initially filed a nearly 700-page complaint challenging the medical care, pain treatment, and accommodations that he has received in multiple state prisons over the last 10 years. He named more than 360 defendants, including the State of Michigan, the Michigan Department of Corrections ("MDOC"), Corizon Healthcare, current and former MDOC directors, prison wardens, prison employees, and medical personnel, and sought injunctive relief and monetary damages. ECF No. 1. The Court granted him leave to proceed without prepayment of the fees and costs for this action. ECF No. 10.

In February, 2021, the Court issued a deficiency order informing Plaintiff that his complaint failed to comply with Rule 8(a) of the Federal Rules of Civil Procedure and giving him 60 days to file an amended complaint that complies with Rule 8(a) or face dismissal of his case. ECF No. 11. Plaintiff did not do so. Rather, he filed several motions complaining about his inability to obtain supplies and make copies in order to file an amended complaint and seeking a continuance, a temporary restraining order, and/or the appointment of counsel. ECF Nos. 13, 15, 16, 17, 18. On


October 5, 2021, the Court issued a show cause order requiring Plaintiff to either show cause why this case should not be dismissed based upon his failure to correct the deficiency or file an amended complaint (which would supercede the original complaint) that complies with Rule 8(a) within 60 days. The Court also denied the outstanding motions without prejudice. ECF No. 20.


Shortly thereafter, the Court received an amended complaint dated September 29, 2021. ECF No. 21. ³ In his amended complaint, which is nearly 350 pages with exhibits, Plaintiff alleges that the defendants conspired to deny him proper medical care and accommodations at 12 different prisons over the last 12 years. He names 429 defendants, including the State of Michigan, the Michigan Department of Corrections ("MDOC"), Corizon Healthcare, current and former MDOC directors, prison wardens, prison employees, and medical personnel, and sues them in their official and individual capacities. He seeks various forms of injunctive relief and monetary damages. *Id.*¹

II. Discussion

Under the Prison Litigation Reform Act of 1996 ("PLRA"), the Court is required to *sua sponte* dismiss an *in forma pauperis* complaint before service on a defendant if it determines that the action is frivolous or malicious, fails to state a claim upon which relief can be granted, or seeks monetary relief against a defendant who is immune from such relief. 42 U.S.C. § 1997e(c); 28 U.S.C. § 1915(e)(2)(B). The Court is similarly required to dismiss a complaint seeking redress against government entities, officers, and employees which is frivolous or malicious, fails to state a claim upon which relief may be granted, or seeks monetary relief from a defendant who is immune from such relief. 28 U.S.C. § 1915A. A complaint is frivolous if it lacks an arguable basis in law or in fact. *Denton v. Hernandez*, 504 U.S. 25, 31 (1992); *Neitzke v. Williams*, 490 U.S. 319, 325 (1989).


¹ The Court notes that Plaintiff did not provide copies for service upon the 429 defendants.

 A *pro se* civil rights complaint is to be construed liberally: *Haines v. Kerner*, 404 U.S. 519, 520-21 (1972). Nonetheless, Federal Rule of Civil Procedure 8(a) requires that a complaint set forth "a short and plain statement of the claim showing that the pleader is entitled to relief," as well as "a demand for the relief sought." Fed. R. Civ. P. 8(a)(2), (3). The purpose of this rule is to "give the defendant fair notice of what the claim is and the grounds upon which it rests." *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 555 (2007) (citation omitted). This notice pleading standard does not require "detailed" factual allegations, but does require more than the bare assertion of legal principles or conclusions. *Twombly*, 550 U.S. at 555. Rule 8 "demands more than an unadorned, the defendant-unlawfully-harmed me accusation." *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009). "Factual allegations must be enough to raise a right to relief above the speculative level on the assumption that all the allegations in the complaint are true (even if doubtful in fact)." *Twombly*, 550 U.S. at 555-56 (citations and footnote omitted).

 To state a civil rights claim under 42 U.S.C. § 1983, a plaintiff must allege that: (1) he was deprived of a right, privilege, or immunity secured by the federal Constitution or laws of the United States; and (2) the deprivation was caused by a person acting under color of state law. *Flagg Bros. v. Brooks*, 436 U.S. 149, 155-57 (1978); *Harris v. Circleville*, 583 F.3d 356, 364 (6th Cir. 2009). Additionally, a plaintiff must allege that the deprivation of rights was intentional. *Davidson v. Cannon*, 474 U.S. 344, 348 (1986); *Daniels v. Williams*, 474 U.S. 327, 333-36 (1986).

Plaintiff's amended complaint suffers from the same Rule 8 problem as his initial complaint, and, at the same time, also fails to allege sufficient facts to state a claim upon which relief may be granted against each of the defendants. As noted, Plaintiff's amended complaint with attachments consist of nearly 350 pages, names 429 defendants (even more than his initial complaint), alleges a conspiracy claim involving his medical care and accommodations at 12 prisons, and spans a 12-

year period (from 2010 to the present). Federal Rule of Civil Procedure 8(a), however, requires that a complaint set forth "a short and plain statement of the claim showing that the pleader is entitled to relief." Fed. R. Civ. P. 8(a)(2). A complaint violates Rule 8(a) and is subject to dismissal when it "is so verbose that the Court cannot identify with clarity the claim(s) of the pleader and adjudicate such claim(s) understandingly on the merits." *Harrell v. Directors of Bureau of Narcotics & Dangerous Drugs*, 70 F.R.D. 444, 446 (E.D. Tenn. 1975); see also *Plymale v. Freeman*, 930 F.2d 919, 1991 WL 54882, *1 (6th Cir. April 12, 1991) (district court did not abuse its discretion in dismissing a "rambling" 119-page complaint); *Smith v. Smith*, No. 06-11738, 2006 WL 3511565, *4-6 (E.D. Mich. Dec. 15, 2006) (adopting magistrate judge's report and dismissing prisoner civil rights complaint for failure to comply with Rule 8(a)(2)); accord *Flayter v. Wisconsin Dep't of Corr.*, 16 F. App'x 507, 509 (7th Cir. 2001) (dismissing 116-page complaint pursuant to Rule 8(a)(2)); *Vicom, Inc. v. Cambridge Merchant Sys., Inc.*, 20 F.3d 771, 775-76 (7th Cir. 1994) (criticizing district court for declining to dismiss amended complaint with prejudice pursuant to Rule 8(a) and noting that "[a] complaint that is prolix and/or confusing makes it difficult for the defendant to file a responsive pleading and makes it difficult for the trial court to conduct orderly litigation"); *Jennings v. Emry*, 910 F.2d 1434, 1436 (7th Cir. 1990) (stating that a complaint "must be presented with clarity sufficient to avoid requiring a district court or opposing party to forever sift through its pages"); *Goehs v. Nebraska State Bar Ass'n*, 717 F.2d 437, 438-39 (8th Cir. 1983) (per curiam) (affirming dismissal of 98-page complaint where "[t]he style and prolixity of these pleadings would have made an orderly trial impossible").

5  Plaintiff's amended complaint against 429 defendants at 12 prisons alleging a conspiracy of improper medical care and accommodation over a 12-year period fails to comply with Rule 8(a). While the amended complaint now rests on a conspiracy theory, to review such a claim against so

many defendants at so many prisons over such a lengthy period of time would require delving into each defendant's conduct and a myriad of dates and events which would be difficult, if not impossible, to review.

Moreover, to state a conspiracy claim under § 1983, a plaintiff must show: (1) a single plan, (2) that the alleged co-conspirator shared in the general conspiratorial objective, and (3) that an overt act was committed in furtherance of the conspiracy that deprived the plaintiff of his or her civil rights. *Hooks v. Hooks*, 771 F.2d 935, 943-44 (6th Cir. 1985); see also *Memphis, TN Area Local 10 City of Memphis*, 361 F.3d 898, 905 (6th Cir. 2004). A plaintiff must plead the conspiracy with some specificity. *Moldovan v. City of Warren*, 578 F.3d 351, 395 (6th Cir. 2009).

In this case, Plaintiff's conspiracy claims are vague and conclusory. While Plaintiff alleges that the defendants had a single plan to exclude/cover up the existence of his previously diagnosed conditions and to deprive him of medical care and accommodation, ECF No. 21-1, PageID.1032, he does not allege facts showing any such plan as to any particular defendant or all the defendants. Nonetheless, even if Plaintiff's allegations of a common plan are sufficient, his allegations as to the other two elements are insufficient. While Plaintiff alleges that the defendants shared in the general conspiratorial objective by taking or not taking certain actions, e.g., denying medical care, claiming that he was faking illness, providing inadequate exams, refusing to implement treatment, providing ineffective treatment, failing to provide care and accommodation, ignoring his complaints, failing to document injuries, and failing to respond to his complaints, he alleges no facts showing what any particular defendant did or did not do, when or where those actions or inactions occurred, that any of the defendants had a shared objective, or any other details of his broad-based allegations. *Id.* at PageID.1033-1036. Similarly, while Plaintiff alleges that the defendants took overt actions in furtherance of the conspiracy by refusing to acknowledge his prior conditions, by delaying and

denying medical care, and by falsifying his medical records, he fails to provide any specific facts of such conduct as to any particular defendant, let alone each of the 429 defendants. *Id.* at PageID:1036-1037. Plaintiff's conspiracy allegations are conclusory as to each of the named defendants. Conclusory allegations are insufficient to state a civil rights claim under § 1983, *Iqbal*, 556 U.S. at 678; *Twombly*, 550 U.S. at 555-57; *Crawford-El v. Britton*, 523 U.S. 574, 588 (1998); *Moldovan*, 578 F.3d at 390-91, including a conspiracy claim. *See Horton v. Martin*, 137 F. App'x 773, (6th Cir. 2005); *Gutierrez v. Lynch*, 826 F.2d 1534, 1538 (6th Cir. 1987); *see also Bell v. Administrative Bd. of Claims*, No. 20-CV-10193, 2020 WL 2525827, *4 (E.D. Mich. May 18, 2020) (dismissing conspiracy claim where allegations against "all defendants" were vague and conclusory). Plaintiff thus fails to state a conspiracy claim against the defendants in his amended complaint.

§ In sum, Plaintiff has not submitted a clear and concise statement of factual allegations of unconstitutional conduct against each of the defendants. Due to the vast number of defendants, the multiple prisons, and the span of years at issue in his amended complaint, the Court cannot readily ascertain the factual specifics for the conspiracy claim against each of the particular defendants, let alone determine whether such claims are properly exhausted and timely filed. Plaintiff's amended complaint must therefore be dismissed.

III. Conclusion

For the reasons stated, the Court concludes that Plaintiff's amended complaint must be dismissed for failure to comply with Rule 8(a) and, additionally, for failure to allege sufficient facts to state a conspiracy claim upon which relief may be granted under § 1983 as to each of the defendants. Accordingly, the Court **DISMISSES WITH PREJUDICE** the amended civil rights complaint pursuant to 28 U.S.C. §§ 1915(e)(2) and 1915A(b).

Lastly, the Court concludes that an appeal from this order cannot be taken in good faith. *See* 28 U.S.C. § 1915(a)(3); *Coppedge v. United States*, 369 U.S. 438, 445 (1962). This case is closed.

IT IS SO ORDERED.

s/Sean F. Cox
Sean F. Cox
United States District Judge

Dated: November 30, 2021

D-7

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SEAN MICHAEL RYAN, #787263,

Plaintiff,

v.

CASE NO. 2:20-CV-12502
HONORABLE SEAN F. COX

MICHIGAN, et al.,

Defendants.

_____ /

JUDGMENT

The above-entitled matter having come before the Court on an amended civil rights complaint brought pursuant to 42 U.S.C. § 1983, the Honorable Sean F. Cox, United States District Judge, presiding, and in accordance with the Opinion and Order entered on this date;

IT IS ORDERED AND ADJUDGED that the amended civil rights complaint is **DISMISSED WITH PREJUDICE.**

s/Sean F. Cox

Sean F. Cox

United States District Judge

Dated: November 30, 2021

D-8

E 1

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SEAN MICHAEL RYAN, #787263,

Plaintiff,

v.

CASE NO. 2:20-CV-12502
HONORABLE SEAN F. COX

MICHIGAN, et al.,

Defendants.

**ORDER OF DEFICIENCY FOR FAILURE TO COMPLY
WITH RULE 8 OF THE FEDERAL RULES OF CIVIL OF PROCEDURE**

I. INTRODUCTION

Michigan prisoner Sean Michael Ryan ("Plaintiff"), confined at the G. Robert Cotton Correctional Facility in Jackson, Michigan, filed a *pro se* civil rights complaint pursuant to 42 U.S.C. § 1983, as well as an application to proceed without prepayment of the filing fee for this action and a motion to stay the proceedings. In his nearly 700-page complaint, Plaintiff essentially challenges the medical care, pain treatment, and accommodations that he has received in multiple state prisons over the last 10 years. He names more than 360 defendants, including the State of Michigan, the Michigan Department of Corrections ("MDOC"), Corizon Healthcare, current and former MDOC directors, prison wardens, prison employees, and medical personnel, in this action and he seeks injunctive relief and monetary damages. ECF No. 1.¹ The Court initially dismissed the case pursuant to the three strikes rule, ECF No. 4, but has since reconsidered its decision,

¹The Court notes that Plaintiff has not provided copies of his complaint for service upon the defendants.

E-2

reopened the case, ECF No. 8, and granted Plaintiff leave to proceed without prepayment of the fees and costs for this action. ECF No. 10.

II. DISCUSSION

Under the Prison Litigation Reform Act of 1996 (“PLRA”), the Court is required to *sua sponte* dismiss an *in forma pauperis* complaint before service on a defendant if it determines that the action is frivolous or malicious, fails to state a claim upon which relief can be granted, or seeks monetary relief against a defendant who is immune from such relief. 42 U.S.C. § 1997e(c); 28 U.S.C. § 1915(e)(2)(B). The Court is similarly required to dismiss a complaint seeking redress against government entities, officers, and employees which is frivolous or malicious, fails to state a claim upon which relief may be granted, or seeks monetary relief from a defendant who is immune from such relief. 28 U.S.C. § 1915A. A complaint is frivolous if it lacks an arguable basis in law or in fact. *Denton v. Hernandez*, 504 U.S. 25, 31 (1992); *Neitzke v. Williams*, 490 U.S. 319, 325 (1989).

A *pro se* civil rights complaint is to be construed liberally. *Haines v. Kerner*, 404 U.S. 519, 520-21 (1972). Nonetheless, Federal Rule of Civil Procedure 8(a) requires that a complaint set forth “a short and plain statement of the claim showing that the pleader is entitled to relief,” as well as “a demand for the relief sought.” Fed. R. Civ. P. 8(a)(2), (3). The purpose of this rule is to “give the defendant fair notice of what the claim is and the grounds upon which it rests.” *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 555 (2007) (citation omitted). This notice pleading standard does not require “detailed” factual allegations, but does require more than the bare assertion of legal principles or conclusions. *Twombly*, 550 U.S. at 555. Rule 8 “demands more than an unadorned, the defendant-unlawfully-harmed me accusation.” *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009).

E-3

“Factual allegations must be enough to raise a right to relief above the speculative level on the assumption that all the allegations in the complaint are true (even if doubtful in fact).” *Twombly*, 550 U.S. at 555-56 (citations and footnote omitted).

To state a civil rights claim under 42 U.S.C. § 1983, a plaintiff must allege that: (1) he was deprived of a right, privilege, or immunity secured by the federal Constitution or laws of the United States; and (2) the deprivation was caused by a person acting under color of state law. *Flagg Bros. v. Brooks*, 436 U.S. 149, 155-57 (1978); *Harris v. Circleville*, 583 F.3d 356, 364 (6th Cir. 2009).

As noted, Plaintiff’s complaint consists of nearly 700 pages, names over 360 defendants, involves allegations concerning his medical care and accommodations and related issues at several prisons, and spans a 10-year period. Federal Rule of Civil Procedure 8(a), however, requires that a complaint set forth “a short and plain statement of the claim showing that the pleader is entitled to relief.” Fed. R. Civ. P. 8(a)(2). A complaint violates Rule 8(a) and is subject to dismissal when it “is so verbose that the Court cannot identify with clarity the claim(s) of the pleader and adjudicate such claim(s) understandingly on the merits.” *Harrell v. Directors of Bureau of Narcotics & Dangerous Drugs*, 70 F.R.D. 444, 446 (E.D. Tenn. 1975); *see also Plymale v. Freeman*, 930 F.2d 919, 1991 WL 54882, *1 (6th Cir. Apr. 12, 1991) (district court did not abuse its discretion in dismissing “rambling” 119-page complaint); *Smith v. Smith*, No. 06-11738, 2006 WL 3511565, *4-6 (E.D. Mich. Dec. 5, 2006) (adopting magistrate judge’s report and dismissing prisoner civil rights complaint for failure to comply with Rule 8(a)(2)); *accord Flayter v. Wisconsin Dep’t of Corr.*, 16 F. App’x 507, 509 (7th Cir. 2001) (dismissing 116-page complaint pursuant to Rule 8(a)(2)); *Vicom, Inc. v. Harbridge Merchant Svs., Inc.*, 20 F.3d 771, 775-76 (7th Cir. 1994) (criticizing district court for declining to dismiss amended complaint with prejudice pursuant to Rule 8(a) and noting that “[a]

E-4

complaint that is prolix and/or confusing makes it difficult for the defendant to file a responsive pleading and makes it difficult for the trial court to conduct orderly litigation); *Jennings v. Emry*, 910 F.2d 1434, 1436 (7th Cir. 1990) (stating that a complaint “must be presented with clarity sufficient to avoid requiring a district court or opposing party to forever sift through its pages”); *Michaelis v. Nebraska State Bar Ass’n*, 717 F.2d 437, 438-39 (8th Cir. 1983) (per curiam) (affirming dismissal of 98-page complaint where “[t]he style and prolixity of these pleadings would have made an orderly trial impossible”).

Plaintiff’s nearly 700-page complaint against more than 360 defendants at various prisons covering allegations of improper conduct over a 10-year period fails to comply with Rule 8(a). The complaint involves a myriad of claims, dates, and factual allegations against the defendants which are difficult to review. Plaintiff has not submitted a clear and concise statement of factual allegations of unconstitutional conduct against each of the defendants. Due to the voluminous nature of the complaint, the Court cannot readily ascertain the factual specifics for each of Plaintiff’s claims or the appropriate defendant/defendants for them, let alone determine whether the claims are properly exhausted and timely filed. Even a cursory review of the complaint is daunting. Neither the Court nor the defendants should be required to sift through almost 700 pages of materials to discern the who, what, and where of Plaintiff’s claims and his bases for relief as to 360 defendants. Consequently, Plaintiff’s complaint is subject to dismissal for failure to comply with Rule 8(a).²

Given that Plaintiff appears to have significant health issues and his complaint involves his medical care and accommodations in prison, however, the Court shall not dismiss the case outright, but shall instead provide Plaintiff with the opportunity to correct his pleading deficiency by filing

²The Court notes that some claims and/or defendants may also be mis-joined in this civil rights action given the nature and expanse of Plaintiff’s claims and the number and location of the defendants. See Fed. R. Civ. P. 18(a), 20(a)(2), 21.

E-5

an amended complaint that complies with Rule 8(a).

III. CONCLUSION

For the reasons stated, the Court concludes that Plaintiff's current civil rights complaint fails to comply with Rule 8(a) and is subject to dismissal. Rather than dismissing this case, however, the Court concludes that Plaintiff should have the opportunity to correct his deficiency by filing an amended complaint. Accordingly, Plaintiff may file an amended civil rights complaint that complies with Rule 8(a) of the Federal Rules of Civil Procedure within **60 DAYS** of the filing date of this order. That complaint will supercede the current complaint. If he does not do so, the Court shall dismiss the current complaint without prejudice for failure to comply with Rule 8(a) and close this case.

IT IS SO ORDERED.

s/Sean F. Cox
SEAN F. COX
UNITED STATES DISTRICT JUDGE

Dated: February 11, 2021

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SEAN MICHAEL RYAN, #787263,

Plaintiff,

v.

MICHIGAN, et al.,

Defendants.

CASE NO. 2:20-CV-12502
HONORABLE SEAN F. COX

F - 1

ORDER TO SHOW CAUSE AND DENYING OUTSTANDING MOTIONS

This is a pro se civil rights action brought pursuant to 42 U.S.C. § 1983. Michigan prisoner Sean Michael Ryan ("Plaintiff") has filed a nearly 700-page complaint challenging the medical care, pain treatment, and accommodations that he has received in multiple state prisons over the last 10 years. He names more than 360 defendants, including the State of Michigan, the Michigan Department of Corrections ("MDOC"), Corizon Healthcare, current and former MDOC directors, prison wardens, prison employees, and medical personnel, and seeks injunctive relief and monetary damages. ECF No. 1.¹ The Court has granted him leave to proceed without prepayment of the fees and costs for this action. ECF No. 10.

In February, 2021, the Court issued a deficiency order informing Plaintiff that his complaint fails to comply with Rule 8(a) of the Federal Rules of Civil Procedure and giving him 60 days to file an amended complaint that complies with Rule 8(a) or face dismissal of this case. ECF No. 11. Plaintiff did not do so. Rather, he has filed several motions complaining about his inability to obtain supplies and make copies in order to file an amended complaint. He seeks a continuance, a

¹The Court notes that Plaintiff has not provided copies of his complaint for service upon the defendants.

temporary restraining order, and/or the appointment of counsel. ECF Nos. 13, 15, 16, 17, 18.

Having reviewed the matter, the Court orders Plaintiff to either show cause why this case should not be dismissed based upon his failure to correct the deficiency or file an amended civil rights complaint that complies with Rule 8(a) within **60 DAYS** of the filing date of this order. If he files an amended complaint, that complaint will supercede the current complaint. If he does not respond or correct the deficiency, the Court shall dismiss the current complaint without prejudice for failure to comply with Rule 8(a) and close this case.

Lastly, given that a proper civil rights complaint has yet to be filed in this case and in light of the foregoing order, the Court declines to separately consider Plaintiff's pending motions. *See* Fed. R. Civ. P. 1 (providing that the rules of civil procedure should be employed "to secure the just, speedy, and inexpensive determination of every action and proceeding"); Fed. R. Civ. P. 3 (a civil action is commenced by filing a complaint), Fed. R. Civ. P. 8 (requiring a complaint to include "a short and plain statement of the claim showing that the pleader is entitled to relief," as well as "a demand for the relief sought"). Accordingly, the Court denies without prejudice those motions, ECF Nos. 13, 15, 16, 17, 18.

IT IS SO ORDERED.

s/Sean F. Cox
Sean F. Cox
United States District Judge

Dated: October 5, 2021

F-2



2/28/22

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DETROIT, MICHIGAN 48226

U.S. DISTRICT COURT